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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,230	08/01/2001	John Todd Larason	MS#302405.4 (5023)	6018
321	7590	05/06/2004	EXAMINER	
SENNIGER POWERS LEAVITT AND ROEDEL ONE METROPOLITAN SQUARE 16TH FLOOR ST LOUIS, MO 63102			TRUONG, CAM Y T	
			ART UNIT	PAPER NUMBER
			2172	70

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**BEST AVAILABLE COPY**

<b>Office Action Summary</b>	Applicant No.	Applicant(s)
	09/921,230	LARASON ET AL.
	Examiner Cam Y T Truong	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-38 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-38 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date 2, 3 & 9.

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-38 are pending in this Office Action.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 8, 20-23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page (USP 6285999) in view of Fogg et al (or hereinafter "Fogg").

As to claim 1, Page teaches the claimed limitations:

"determining a first collection rating for a first rating scale for contents of a first document collection" as determining a ranking for document A is 0. 4. The ranking for document A is represented as a first collection rating (fig. 2, col. 4, lines 60-67);

"determining a first link rating for said first rating scale for contents linked to or linked by contents of said first document collection" as the backlinks from different pages and forward links are weighted differently. For example, the link of document A to document B is weighted 0.2 (fig. 2, col. 4, lines 5-15).

Page does not explicitly teach the claimed limitation "and modifying said first collection rating for said first rating scale for contents of said first document collection based on said determined first link rating for said first rating scale for contents linked to or linked by contents of said first document collection". Fogg teaches rating documents and sites based on the link viability (col. 1, lines 45-55).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Fogg's teaching of rating documents and sites based on the link viability to Page's system in order to display of results retrieved by conventional search engines may be sorted or ordered based on link.

As to claim 4, Page teaches the claimed limitation "determining at least a second collection rating for at least a second document collection with documents linked to or linked by documents of said first document collection, and determining said first link rating based on said determined at least a second collection rating of said at least a second document collection" as (fig. 1).

As to claims 8 and 27, Page teaches the claimed limitation "wherein said first document collection is a web site, and said contents size of said first document collection are web pages" as (col. 3, lines 35-67).

As to claim 20, Page teaches the claimed limitations:  
"storage medium having stored therein a plurality of programming instructions designed to enable said apparatus to determine a first collection rating for a first rating scale for contents of a first document collection" as determining a ranking for document A is 0. 4. The ranking for document A is represented as a first collection rating (fig. 2, col. 4, lines 60-67),

"determine a first link rating for said first rating scale for contents linked to or linked by contents of said first document collection" as the back links from different pages and forward links are weighted differently. For example, the link of document A to document B is weighted 0.2 (fig. 2, col. 4, lines 5-15),

"and at least one processor coupled to the storage medium to execute the programming instructions" as (col. 1, lines 25-50).

Page does not explicitly teach the claimed limitation "modify said first collection rating for said first rating scale for contents of said first document collection based on said determined first link rating for said first rating scale for contents linked to or linked by contents of said first document collection; Page does not explicitly teach the claimed limitation "and modifying said first collection rating for said first rating scale for contents of said first document collection based on said determined first link rating for said first rating scale for contents linked to or linked by contents of said first document collection". Fogg teaches rating documents and sites based on the link viability (col. 1, lines 45-55).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Fogg's teaching of rating documents and sites based on the link viability to Page's system in order to display of results retrieved by conventional search engines may be sorted or ordered based on link.

As to claim 21, Page and Fogg teach the claimed limitation subject matter in claim 16, and Fogg further teaches the claimed limitation" wherein said programming instructions are designed to enable the apparatus to perform said determining of a first

collection rating by determining said first collection rating based on document ratings of a first subset of documents of said first collection of documents, and sizes of the documents of the first subset of documents of the first document collection" as (page 10, lines 15-25).

As to claim 22, Page teaches the claimed limitation "wherein said first subset of documents of said first document collection consists of first textual documents of said first document collection" as (col. 1, lines 25-67).

As to claim 23, Page teaches the claimed limitation "wherein said programming instructions are designed to enable the apparatus to perform said determining of a first link rating by determining at least a second collection rating for at least a second document collection with documents linked to or linked by documents of said first document collection, and determining said first link rating based on said determined at least a second collection rating of said at least a second document collection" as (fig. 1, col. 3, lines 50-67).

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page (USP 6285999) in view of Fogg et al (or hereinafter "Fogg") and further in view of Pirolli

As to claim 2, Page does not explicitly teach the claimed limitation "determining said first collection rating based on document ratings of a first subset of documents of

said first collection of documents, and sizes of the documents of the first subset of documents of the first document collection". Pirolli teaches that collecting rates of pages, e.i., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes (figs. 5&6, col. 9, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Pirolli's teaching of collecting rates of pages, e.i., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes to Page's system in order to rank documents in order.

As to claim 3, Page teaches the claimed limitation "wherein said first subset of documents of said first document collection consists of first textual documents of said first document collection" as (col. 8, lines 20-40).

5. Claims 5-7 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page (USP 6285999) in view of Fogg et al (or hereinafter "Fogg") and further in view of Sprague (USP 5870744).

As to claim 5, Page discloses the claimed limitation subject matter in claim 1, except teach the claimed limitation "wherein said modifying of the first collection rating comprises replace he determined first collection rating with said determined first link

rating". Sprague teaches that the rating entry in the site's VPN user descriptor database is then updated with the new average rating value (col. 7, lines 14-17).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sprague's teaching of the rating entry in the site's VPN user descriptor database is then updated with the new average rating value to Page's system in order to indicate visiting of a user for a web site or a document and to allow the user to leave audio, video or textural message for subsequent accesses of the electronic site.

As to claim 24, Page and Fogg disclose the claimed limitation subject matter in claim 20, except the claimed limitation "wherein said programming instructions are designed to enable the apparatus to perform said modifying of the first collection rating by replacing the determined first collection rating with said determined first link rating". Sprague teaches that the rating entry in the site's VPN user descriptor database is then updated with the new average rating value (col. 7, lines 14-17).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sprague's teaching of the rating entry in the site's VPN user descriptor database is then updated with the new average rating value to Page's system in order to indicate visiting of a user for a web site or a document and to allow the user to leave audio, video or textural message for subsequent accesses of the electronic site.

As to claims 6 and 25, Page discloses the claimed limitation subject matter in claim 1, except teach the claimed limitation "adding said determined first link rating to the determined first collection rating". Sprague teaches the total number of ratings of sites (col. 7, lines 13-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sprague's teaching of the total number of ratings of sites to Page's system in order to indicate visiting of a user for a web site or a document and to allow the user to leave audio, video or textural message for subsequent accesses of the electronic site.

As to claims 7 and 26, Page discloses the claimed limitation subject matter in claim 1, except teach the claimed limitation "wherein said modifying of the first collection rating comprises subtracting said determined first link rating from the determined first collection rating". Paepke teaches minus the average ratings of the linked objects, as rated by all users in the database (col. 12, lines 20-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Paepke's teaching of minus the average ratings of the linked objects, as rated by all users in the database to Page's system in order to evaluate how a object is interest to a user or to rank objects in order.

6. Claims 9, 28, 15 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duff et al (or hereinafter "Duff") (USP 5911043).

As to claim 9, Duffy teaches the claimed limitations:

“determining document ratings for a rating scale for a subset of documents of a document collection” as retrieving document ratings that includes a rating scale of word e.i., breast in closes proximity to nudity or other sexually suggestive words may trigger a rating of 0.5. A word is represented as subset of documents (col. 3, lines 1-65);

“determining sizes of the documents of said subset” as a rating technique that produces document ratings by analyzing the specific content or words and phrases in the documents. The content words and phrases in the documents are represented as size of documents of said subset (col. 1, lines 63-65).

Duff does not explicitly teach the claimed limitation “determining a collection rating for said rating scale for said document collection based on said determined document ratings of said subset of documents and normalized by said determined sizes of said subset of documents”. However, Duff teaches that storing document rating that includes a rating scale of word i.e., breast in closes to nudity or other sexually suggestive words may trigger a rating of 0.5. This information indicates that the system collects document ratings based on determining document ratings of words (fig. 2, col. 3, lines 1-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Duff’s teaching of storing document rating that includes a rating scale of word i.e., breast in closes to nudity or other sexually suggestive words may trigger a rating of 0.5 in order to identify a high level document and associated

lower level document with a particular document rating and to re-evaluated or updated for reflecting a subject assessment of the content of a document by a user.

As to claim 28, Duff teaches the claimed limitations:

“storage medium having stored therein a plurality of programming instructions designed to enable said apparatus to determine document ratings for a rating scale for a subset of documents of a document collection” as retrieving document ratings that includes a rating scale of word i.e., breast in closes proximity to nudity or other sexually suggestive words may trigger a rating of 0.5. A word is represented as subset of documents (col. 3, lines 1-65),

“determine sizes of the documents of said subset” as a rating technique that produces document ratings by analyzing the specific content or words and phrases in the documents. The content words and phrases in the documents are represented as size of documents of said subset (col. 1, lines 63-65),

“and at least one processor coupled to the storage medium to execute the programming instructions” as (fig. 1).

Duff does not explicitly teach the claimed limitation “determine a collection rating for said rating scale for said document collection based on said determined document ratings of said subset of documents, and normalized by said determined sizes of said subset of documents”. However, Duff teaches that storing document rating that includes a rating scale of word i.e., breast in closes to nudity or other sexually suggestive words may trigger a rating of 0.5. This information indicates that the system

collects document ratings based on determining document ratings of words (fig. 2, col. 3, lines 1-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Duff's teaching of storing document rating that includes a rating scale of word i.e., breast in closes to nudity or other sexually suggestive words may trigger a rating of 0.5 in order to identify a high level document and associated lower level document with a particular document rating and to re-evaluated or updated for reflecting a subject assessment of the content of a document by a user.

As to claims 15 and 34, Duff teaches the claimed limitation "wherein said first collection of documents are web pages of a web site, and said first subset of documents are textual documents of said web site" as (col. 2, lines 15-25).

7. Claims 10-13 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duff et al (or hereinafter "Duff") (USP 5911043) in view of Pirolli.

As to claims 10 and 29, Duff discloses the claimed limitation subject matter in claim 9, except the claimed limitation "wherein said determining of the collection rating comprises further subdividing said subset of documents into a plurality of groups in accordance with their determined sizes, and applying a weight to the document rating determined for said rating scale for each document of the subset in accordance to the document's size group classification". Pirolli teaches that collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that

content pages would have few inlinks and few outlinks, but have relatively larger file sizes (figs. 5&6, col. 9, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Pirolli's teaching of collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes to Page's system in order to rank documents in order.

As to claims 11 and 30, Duff discloses the claimed limitation subject matter in claim 9, except the claimed limitation "wherein weights are applied to said determined document ratings for said rating scale as follows: Document size range in (bytes) Weight <500 1 500-999 4 1000-4999 7 5000-9999 10 >9999". Pirolli teaches that collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes (figs. 5&6, col. 9, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Pirolli's teaching of collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes to Page's system in order to rank documents in order.

As to claims 12 and 31, Duff discloses the claimed limitation subject matter in claim 9, except the claimed limitation "subdividing said subset of documents into a plurality of groups in accordance with their determined ratings for said rating scale, and applying a weight to the document rating determined for said rating scale for each document of the subset in accordance to the document's rate group classification". Pirolli teaches that collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes (figs. 5&6, col. 9, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Pirolli's teaching of collecting rates of pages, i.e., page 1, size 500 has inlinks 8, page 2, size 1500 has inlink 2. it is hypothesized that content pages would have few inlinks and few outlinks, but have relatively larger file sizes to Page's system in order to rank documents in order.

As to claims 13 and 32, Duff teaches the claimed limitation "wherein weights are applied to said determined document ratings for said rating scale as follows: Determined document rating for said rating scale Weight 0 -0.5 1 0.5 2 3 6" as (col. 6, lines 45-50).

8. Claims 14 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duff et al (or hereinafter "Duff") (USP 5911043) in view of Katariya et al (or hereinafter "Katariya") (USP

As to claims 14 and 33, Duff discloses the claimed limitation subject matter in claim 13, except the claimed limitation "wherein said determining of the collection rating comprises computing the collection rating for said rating scale as follows:  $2 \text{ CR} = i, j r i w j \log (N_{ij} + 1) i, j w j \log (N_{ij} + 1)$  where CR is the collection rating for said rating scale; r.sub.i is the weight applied for document rating group i; w.sub.i is the weight applied for document size group j; N.sub.ij is the number of pages in the collection with document rating i and having group sizes j for said rating scale".

Katariya teaches that the weighting system calculates the weight of term I within documents using the following equation:  $W_{ij} = (\log_2 (T_{fij} + 1) / \log_2 (T_{fik} + 1))$  (col. 10, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Katariya's teaching of the weighting system calculates the weight of term I within documents using the following equation:  $W_{ij} = (\log_2 (T_{fij} + 1) / \log_2 (T_{fik} + 1))$  to Duff's system in order to calculates the importance of a term within a document.

9. Claims 16-17 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page in view of Rydahl, Mads (or hereinafter "Mads") WO 01/33413 A1.

As to claim 16, Page teaches the claimed limitations:  
"determining whether a first document collection comprises at least one document linked to at least one other document of at least one other second document

collection" as document A is weighted 0.4. Document A is linked to document B (fig. 1, col. 3, lines 65-67; col. 4, lines 1-5);

"determining a collection rating for a rating scale for each of said at least one other second document collection if said first document collection is determined to comprise at least one document linked to at least one other document of at least one other second document collection" as document B is weighted 0.2. Document B is linked to document A. Assigning a score to each of the linked documents based on scores of the one or more linking document (fig. 1, col. 3, lines 25-30);

"determining whether said first document collection comprises at least one document being linked by at least one other document of at least one other third document collection" document C is linked to document A and B (fig. 1, col. 3, lines 60-67; col. 4, lines 1-5);

"determining a collection rating for said rating scale for each of said at least one other third document collection if said first document collection is determined to comprise at least one document linked by at least one other third document collection" as document C is weighted 0.4 (fig. 1).

Page does not explicitly teach the claimed limitation "determining a link rating for said rating scale for said first document collection based on either said determined collection rating or ratings for said rating scale for said at least one other second document collection, or said determined collection rating or ratings for said rating scale for said at least one other third document collection, or both, depending on whether

collection rating or ratings are determined for said rating scale for said at least one other second document collection, said at least one other third document collection or both".

Mads teaches that rating category could based on the number of usage entries for each resource link (page. 10, lines 5-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Mads's teaching of rating category could based on the number of usage entries for each resource link to Page's system in order to sort through content and sorting resource links to the content into category hierarchy containing several categories and subcategories

As to claims 17 and 36, Page and Mads teach the claimed limitation subject matter in claim 16, and Mads further teaches the claimed limitation "wherein each of said determining of a collection rating for said rating scale for each of said at least one other second or third document collection comprises determining document ratings for said rating scale for documents of the particular document collection, and sizes of the documents, and determining the collection rating for the particular document collection based on the determined document ratings and the determined sizes" as (page 10, lines 15-25).

As to claim 35, Page teaches the claimed limitations "storage medium having stored therein a plurality of programming instructions designed to enable said apparatus to determine whether a first document collection

comprises at least one document linked to at least one other document of at least one other second document collection" as document A is weighted 0.4. Document A is linked to document B (fig. 1, col. 3, lines 65-67; col. 4, lines 1-5);

"determine a collection rating for a rating scale for each of said at least one other second document collection if said first document collection is determined to comprise at least one document linked to at least one other document of at least one other second document collection" as document B is weighted 0.2. Document B is linked to document A. Assigning a score to each of the linked documents based on scores of the one or more linking document (fig. 1, col. 3, lines 25-30);

"determine whether said first document collection comprises at least one document being linked by at least one other document of at least one other third document collection" as document C is linked to document A and B (fig. 1, col. 3, lines 60-67; col. 4, lines 1-5);

"determine a collection rating for said rating scale for each of said at least one other third document collection if said first document collection is determined to comprise at least one document linked by at least one other third document collection" as document C is weighted 0.4 (fig. 1),

"and at least one processor coupled to the storage medium to execute the programming instructions" as (col. 1, lines 30-67).

Page does not explicitly teach the claimed limitation "and determine a link rating for said rating scale for said first document collection based on either said determined collection rating or ratings for said rating scale for said at least one other second

document collection, or said determined collection rating or ratings for said rating scale for said at least one other third document collection, or both, depending on whether collection rating or ratings are determined for said rating scale for said at least one other second document collection, said at least one other third document collection or both".

Mads teaches that rating category could based on the number of usage entries for each resource link (page. 10, lines 5-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Mads's teaching of rating category could based on the number of usage entries for each resource link to Page's system in order to sort through content and sorting resource links to the content into category hierarchy containing several categories and subcategories.

10. Claims 18, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page in view of Rydahl, Mads (or hereinafter "Mads") WO 01/33413 A1 and further in view of Fogg et al (or hereinafter "Fogg") (USP 6163778).

As to claims 18 and 37, Page and Mads disclose the claimed limitation subject matter in claim 17, except the claimed limitation "wherein said determining of a link rating comprises summing said collection rating or ratings determined for said rating scale for said at least one other second or third document collection, and determining the link rating based on the result of said summing". Fogg teaches the average rating links in document (fig. 7).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Fogg's teaching of the average rating links in document to Page and Mads's system in order to order search results based on the number of page elements and the viability of a link to a document.

11. Claims 19 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page in view of Rydahl, Mads (or hereinafter "Mads") WO 01/33413 A1 and further in view of Fogg et al (or hereinafter "Fogg") (USP 6163778) and Paepke (USP 6249785).

As to claims 19 and 38, Page, Mads and Fogg do not disclose the claimed limitation subject matter in claim 18, except the claimed limitation "wherein said determining of the link rating based on the result of said summing comprises determining the link rating based on the result of said summing as follows: The result of said summing (RS) link rating RS less than -2 -1.0 RS greater than or equal to -2, -0.5 but less than -1 RS greater than or equal to -1, 0 but less than or equal to -0.5 RS greater than -0.5, but less 0.5 than or equal to 1.5 RS greater than 1.5, but less 1.0 than or equal to 3 RS greater than 3, but less than 1.5 or equal to 4 RS greater than 4 2.0". Paepke teaches assigning rating 1-10 with values number (col. 9, lines 15-25).

It would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Paepke's teaching of assigning rating 1-10 with values number to Page, Mads and Fogg in order to make predictions of future ratings and to provided a method for reliably predicting subjective evaluations by a person.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schloss (USP 5706507)

Delano (USP 6430558)

***Contact Information***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

4/20/04



SIGNATURE OF  
PRIMARY EXAMINER